

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

213

CRM-M-42161-2023 (O&M)

Date of decision: 03.10.2023

Vikram Singh @ Bikram Singh

....Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Mohit Kumar, Advocate for the petitioner

Mr. Manipal Singh Atwal, DAG Punjab

AMAN CHAUDHARY. J.

1. On 25.08.2023, this Court had passed the following order:-

“The present petition has been filed under Section 438 Cr. P.C. for grant of pre-arrest bail to the petitioner in case FIR No.94 dated 06.05.2023, registered under Sections 307, 459, 323, 506, 148 and 149 IPC and Section 25 of the Arms Act, 1959, at Police Station City-1 Sangrur, District Sangrur.

Learned counsel contends that though the petitioner was present at the spot, at the time of the alleged occurrence, however, as per the FIR he was empty handed. Neither any injury nor any role has been attributed to him. The injuries caused on the head, shoulder and eye of the complainant, were attributed to the co-accused. Similarly situated co-accused Sarabjit Singh @ Kalu, who was also shown to be empty handed, has been granted concession of interim anticipatory bail by this Court vide order dated 22.08.202, Annexure P-4. Though, there are two other cases against the petitioner, however, he is on bail in them. The petitioner is ready and willing to join the investigation as and when required by the investigating agency and will cooperate.

Notice of motion.

At the asking of the Court, Mr. Manipal Singh Atwal, DAG Punjab. accepts notice on behalf of respondent-State.

Meanwhile, the petitioner is directed to join the investigation on or before 01.09.2023. In the event of his arrest, he shall be released on interim bail to the satisfaction of the Arresting Officer, subject to

compliance of conditions as enshrined under Section 438(2) Cr.P.C.

However, it is clarified that if the petitioner does not join and cooperate with the Investigating Agency as required by the Arresting/Investigating Officer, this interim order shall be deemed to have been vacated.

Adjourned to 03.10.2023.”

2. Learned counsel submits that in pursuance of the afore-mentioned order, the petitioner has not only joined investigation but also fully cooperated with the investigating agency. He further submits that in case the investigating agency requires the petitioner to appear, he shall make himself available without demur.
3. Learned State counsel on instructions from ASI Manoj Kumar affirms the factum of joining the investigation by the petitioner and cooperating with the investigating agency. He also submits that at this stage, the petitioner is not required for further custodial interrogation.
4. In view of the above and without expressing any opinion on the merits of the case, anticipatory bail petition filed by the petitioner is allowed and the order dated 25.08.2023 granting interim bail to him, is hereby made absolute, subject to compliance of conditions as specified under Section 438(2) Cr. P.C.
5. However, it is made clear that if the petitioner fails to join and cooperate with the investigating agency as and when required, the State would be at liberty to move an application for cancellation of the present anticipatory bail granted to him.

(AMAN CHAUDHARY)
JUDGE

October 03, 2023

M.Kamra

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No